

***Santa Ana Unified School District***  
***Proposal Scope of Work for RFP#34-1 – Assessment & Management System Software***

<b>A. Please identify cost elements</b>
1. Initial purchase cost, installation and support costs, professional development costs
2. Ongoing costs
<b>B. Please describe ability to include sources of student academic assessment data</b>
1. State administered standardized tests – STAR (CST, CMA, EAP, CAPA, STS)
2. California High School Exit Exam (CAHSEE)
3. California English Language Development Test (CELDT)
4. School or district performance tests
5. Student grades
<b>C. Please describe ability to include sources of relevant background data that could impact achievement</b>
1. Student ethnicity
2. Student gender
3. Socioeconomic background of students (free & reduced lunch, etc.)
4. Dropout rates and attendance data
5. Student participation in special programs (Title I, Sp. Ed., GATE, EL, homeless etc.)
6. Adequate Yearly Progress (AYP) rating for the school/district
7. Academic Performance Index (API) for the district, school, and classroom (official and estimated)
<b>D. Please describe reporting and analysis capability of student assessment and background data</b>
1. District-wide reporting and analysis of assessment results
2. School level reports suitable for school/grade-level instructional planning
3. Displays data of the same students over two or more years
a. By group (i.e. grade 4 year one to grade 5 year two)
b. By individual students from one year to another
4. Allows for disaggregation of student data according to demographic factors
5. Allows for disaggregation by specific intervention or program participation
6. Allows for analysis of data at the district and school level by grade and/or subject (i.e., comparison reports)
7. Allows for analysis of data at the classroom level
8. Allows for analysis of data at the student level
9. Sorts/filters students by performance levels in terms of meeting standards
10. Reports for parent(s)/guardian(s) on progress of their students, with Spanish translation
11. Reports for students on their own progress are provided
12. Reports on school level data for the Single School Plan
13. Boolean reporting capability
14. CST and CMA accessible in one report
15. Access to longitudinal data
16. Access and usability for alternative education
<b>E. Please describe standards used to guide design</b>
1. For any test not part of the CA assessment program, documentation of alignment with the <i>California Program Assessment Blueprints</i> and/or the <i>National Assessment of Educational Progress</i> is provided.
2. If the ELAR offers assessments or tests, reliability and validity information are provided.
3. The ELAR meets known and established standards for interoperability based on the <i>Schools Interoperability Framework</i> (SIF).
4. ELAR meets the minimum requirements of <i>Family Education Rights and Privacy Act</i> (FERPA).
<b>F. Please describe features that allow users to modify or add elements</b>
1. Reports on state assessment data can be locally customized.
2. Users can modify assessment items already included in the ELAR item-bank or database.
3. Users can customize the work area of the ELAR.
4. Users can easily link or add other web-resources to the ELAR.
5. Users can purchase desired components or features of larger comprehensive programs.

6. The ELAR allows users to input locally developed instructional intervention strategies.
7. The ELAR allows users to update student records, as needed, to ensure that reports are based on the most current information available.
8. This ELAR allows for linking to the <i>CA School Information Service (CSIS)</i> .
9. This ELAR allows for linking to the <i>CA Longitudinal Pupil Achievement Data System (CALPADS)</i> .
10. Any test item banks used in the ELAR are aligned to the CA Content Standards.
11. Capability for loading local assessments at the site.
12. Drill down customization at the student level.
<b>G. Please describe features that address end-user access</b>
1. User-friendly program interface.
2. Method for data input is clearly described.
3. Charting and graphing functions are integrated into the system.
4. Availability of pivot tables (e.g. for scale scores).
5. Reports accessible in Excel and PDF.
6. Flexible selection of data for different reporting.
<b>H. Please identify and describe support available</b>
1. Online 'help-desk' is included as part of the ELAR package.
2. Telephone 'help-desk' is included as part of the ELAR package.
3. Availability of tech support, hours, days, etc., is described.
4. Information regarding cost(s) and process for obtaining ELAR upgrades is described.
<b>I. Please identify and describe the technical requirements</b>
1. Please outline the hardware and network requirements necessary for use of the ELAR at the school and district level, including whether the solution is hosted.
2. Identify the necessary bandwidth benchmark for optimal use of the ELAR based on user data profile.
3. Define the "total cost of ownership" to obtain, install, and maintain the necessary equipment for using the ELAR as an itemized report (including licensing, technical support, additional network software/plugins, etc.).
4. Please describe the file format and/or software to which this ELAR will interface for uploads/downloads.
5. If the product is web-based, provide clearly detailed security requirements.
6. If hosted, describe how the system imports data.
7. Please describe preferred browser, proprietary plugins required.
8. Identify browser capability.
9. Identify how the application will conform to different handheld formats.
10. Identify which handhelds are supported/used by the program.
11. Capability for home access.
12. Interface with other programs, such as Grade Cam and Electronic Response Systems.
13. Ownership of data and ability to transfer between programs as described.
<b>J. Please describe capacity related to development and research issues</b>
1. The method for relating student assessment data to ELAR-generated conclusions or suggested instructional strategies is explained.
2. If instructional content in the form of activities, lessons, or unit plans are incorporated, the design process for these resources is described.
3. A research-basis for the specific features of the ELAR is provided.
4. Reactions from users of the ELAR is available.
5. The vendor updates the product according to user feedback.
6. The vendor provides information that will enable potential users of the ELAR to contact persons presently using the ELAR.
7. Identify what is done to keep product current and updated to state reporting requirements.

**AGENDA ITEM BACKUP SHEET****May 24, 2011****Board Meeting**

**TITLE:** **Approval of Renewal Agreement With Pivot Learning Partners for 2011-12 School Year**

**ITEM:** **Action**

**SUBMITTED BY:** Dawn Miller,  Assistant Superintendent, Secondary Education

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**BACKGROUND INFORMATION:**

The purpose of this agenda item is to seek renewal of the agreement with Pivot Learning Partners to work with the 19 secondary schools to focus on student academic achievement through the training and coaching of secondary administrators, algebra teachers, and the District Instructional Leadership Team. Due to our ongoing success with Pivot Learning Partners, the District identified Pivot as one of its External Partners in the School Improvement Plan Application. This work also includes in depth work with administrators at Persistently Low Achieving Schools. Rather than separate District contracts, all District work is being brought forth for approval on one contract.

**RATIONALE:**

Through the intensive work with Pivot Learning Partners, secondary schools will receive the instructional support necessary to advance student achievement. This leadership support will mirror the successful instructional leadership mentoring blueprint that the district's elementary schools have benefitted from for the past six years through the federal Reading First Grant and Strategic Schooling Initiative.

**FUNDING:**

Title I/II/III: \$289,000

**RECOMMENDATION:**

Approve renewal agreement with Pivot Learning Partners for 2011-12 school year.



## **Scope of Work**

### **Santa Ana Unified School District and Pivot Learning Partners**

### **July 2011-June 2012**

This Scope of Work describes the mutual responsibilities and commitments of Pivot Learning Partners and the Santa Ana Unified School District to reach the goals set forth in this document. The responsibilities and commitments will be performed from July 2011 through June 2012 at a cost not to exceed \$289,077.

#### **Mission of Pivot Learning Partners**

The mission of Pivot Learning Partners is to build the capacity of school districts to raise student achievement overall and narrow the achievement gaps among all subgroups. Pivot works with education leaders to engage in a systematic and sustainable improvement process. Pivot Learning Partners ultimately aims to help create a future in which all students learn at high levels and where race, class, language, gender, and culture are no longer good predictors of educational outcomes.

#### **Overview of the Scope of Work**

Pivot Learning Partner coaches will collaborate with district leadership to design and implement a Coaching Support Program to build and strengthen the capacity of district and site leaders to improve teaching and learning in sustainable ways.

#### **Goals of this Project:**

This project seeks to:

- Raise the achievement of students in the Santa Ana Unified School District, with a focus on English learners.
- Build the organizational capacity of the SAUSD leadership team at the district office and at secondary schools to increase the learning of all students.
- Continue to build focus and coherence of all initiatives in a way that supports district and board goals to increase student achievement.

#### **Deliverables and Services**

##### **Pivot Learning shall:**

- **Support district and school instructional leaders to manage school transformation** and enhance knowledge and skills in: 1) classroom observations of student engagement and the actual learning task of students; including support of the appropriate use of the SIOP model and Thinking Maps, especially with English learners 2) ways to effectively give feedback to staff that informs instruction, 3) shared leadership that continues to build instructional leadership skills of the administrative team as well as the teacher leadership teams.
- **Provide differentiated coaching and professional development** to leaders in prioritizing key initiatives and creating deliberate links and coherence among initiatives as measured by evidence of clear targets and common messages throughout the year. The district and school teams would determine agreed upon measures to assess effectiveness of this goal.
- **Needs Assessment:** Pivot Learning shall use the most recent student achievement data gathered and summarized by the district to inform the work of this contract. In addition, the



data gathered by Pivot Coaches in relation to classroom observations, student engagement, feedback to staff by principals and administrative team members, teacher leadership components and PLCs shall also be used to further the work started in the 2010-2011 school year.

- **Coaching:** Pivot Learning shall provide two executive coaches to serve as Project Leads and a team of coach/consultants to support and build the capacity of district staff and school site administrative teams in both in large and small group settings.

## **SECONDARY AREA TEAM - ADMINISTRATIVE TEAM COACHING**

- **Four executive coaches to serve as coach/facilitators for each of the four Secondary Area meetings**

A Pivot Coach will be assigned to each of the secondary area teams to facilitate classroom walkthroughs and feedback to staff. The Pivot coaches will meet regularly with the administrative teams in Areas 1, 2, 3 and 4 to enhance the instructional leadership skills of the administrative teams to support the key goals of the district in student engagement, the SIOP (Sheltered Instruction Observation Protocol) Model, Thinking Maps and algebra. Part of the work will be to show how each of the initiatives are connected and integrated with district goals, not fragmented or separate components. The intended outcome is to build common language and practices among administrative teams to enhance learning, as well as the capacity of each area team to sustain the work on their own.

Pivot coaches will attend training alongside SAUSD staff in the SIOP model and Thinking Maps as appropriate in order to connect the initiatives, use the same language and bring coherence to the coaching work.

## **INDIVIDUAL COACHING**

- **Individual School Site Coaching at the Secondary Level**

Provide individual administrative team coaching at 9 intermediate schools, 7 high schools and for one alternative education principal who serves 3 schools. The on-site coaches will provide direct support to administrative teams at each school one half day a month as a follow up to area meetings and to support the individual and unique needs at each school in teaching and learning that align to district goals. Rubrics on student engagement and feedback to the staff will be used as a pre and post assessment to determine progress toward each of the goals.

## **DISTRICT SUPPORT**

- **Regular Meetings with the Superintendent:**

Jeannie Murphy and Judi Gutierrez will serve as Pivot Project Leads for the partnership with SAUSD. They will schedule regular meetings with the superintendent and assistant superintendent to continually align the work as agreed upon in this document with SAUSD priorities.

### **Mid and End of Year Reports**

- The project leads will give two formal reports to the superintendent. The first will be at mid-year report to document progress to date and to make mid course corrections or adjustments. The end of year report will document progress made in the second semester and will summarize the work for the entire year.

- **Embedded Professional Development**  
Professional development will be embedded in both the area meetings as well as two of the secondary principal meetings.
  - 1) In the Secondary Area meetings, Pivot Coaches will embed follow up staff development from the training started in the 2010-2011 school year regarding ways to effectively give feedback to a staff. PLP Coaches will team with district staff and administrative teams to build sustainability over time.
  - 2) In the Secondary Principal Meetings or Strategic Planning Meetings, Pivot Learning will follow up on the work started with the Teacher Leadership Academy in 2010-2011. Pivot coaches will facilitate training around going deeper with shared leadership and leading professional learning communities.
- **Vertical Articulation**  
Pivot executive coaches will work with the district leadership in secondary and elementary education to design and implement a plan to increase the vertical articulation among secondary and elementary principals that result in enhanced knowledge and strategies for increasing the teaching and learning of all students.
- **Algebra Focus**  
Pivot Learning will work with the Director of Secondary Education to deepen the work started in algebra in the 2010-2011 year. The goal will be to strengthen the efforts of UCI and the CPM math program as well as the work started by the district so that implementation occurs at the highest levels for students and teachers.
- **Attend training on the SIOP model and Thinking Maps**  
Pivot coaches will attend SIOP model and Thinking Maps training, as appropriate, to support administrative teams in monitoring, giving feedback and supporting teachers in implementing the training effectively.
- **Leadership Systems, Change Management**  
Pivot executive coaches will assist key district leadership staff in prioritizing key initiatives, building focus and coherence among initiatives and creating common messages from district office staff to school leaders to support the attainment of the defined goals. Effective communication as well as the barriers and challenges will be examined and practiced in order to build coherence in programs and practices throughout the district. Pivot Learning's work on Leadership Systems and Change Management will guide this work.

### **Project Management**

Jeannie Murphy and Judi Gutierrez will provide project leadership to assure quality, coherence and effectiveness of the project as outlined in this scope of work. This includes monitoring of the budget with the business offices of SAUSD and Pivot Learning, coordination and communication with SAUSD leadership as well as Pivot Coaches, and on-going coordination with the CEO of Pivot, Merrill Vargo and the Southern California Regional Lead, Mike Miller.

- **Commitments by Pivot Learning Partners**

- PLP will designate Jeannie Murphy and Judi Gutierrez as co-Project leads with responsibility for leading the work described in this document. The Project Leads will have access to the PLP Regional Director, Mike Miller, and other PLP staff and resources as needed to carry out the work described in this document.
- The PLP Regional Director, Mike Miller, will be available to the Superintendent in the Partner District to respond to any issues that arise in the carrying out of this project.
- PLP coaches will attend training in Thinking Maps and the SIOP model in order to coach administrative teams in a way that is aligned to the core content taught.
- Our commitment is to provide the best possible support to our Partner Districts. On a regular basis, Pivot Learning Partners will solicit formal and informal feedback from participants in PLP programs and from leaders in Partner Districts, and we will use this data and information to improve our work.
- Sensitive matters discussed by school and district staff with Pivot Learning employees shall be held in strictest confidence.
- As opportunities arise, PLP will invite Partner Districts to partner with PLP in fundraising efforts and/or in program development or R&D efforts.

- **Commitments by the Santa Ana Unified School District**

- The district shall identify at least one instructional leader to work collaboratively with Pivot Learning staff and to function as the district liaison with the PLP Project Leads.
- The superintendent, other district staff, principals and teachers shall make themselves available to the PLP Project Leads as indicated in this plan.
- The superintendent and other appropriate district staff shall participate in the Mid-Year and End of Year Report Meetings.
- Staff at all levels of the system should be prepared for PLP coaches to challenge them. Coach/consultants will ask probing questions and push district staff to examine their assumptions and mental models, and to clearly articulate their theories of action. District staff should approach this work with open, reflective minds.
- Project Leads will complete the PLP District Systems Change Rubric sections once yearly to serve as a pre-post assessment and participate in other data collection activities as mutually determined.

- **Accountability**

**Project Management and Accountability:** Pivot Learning will establish systems and structures to manage the work including:

- Regular communication with the Superintendent will be given monthly. In addition, mid-year and end of year reports will be written and shared with the superintendent with an opportunity to modify as needed.
- A capacity rubric will be used as a pre-post assessment by the PLP coaches in collaboration with the site administrative team to document progress in using

classroom walkthroughs to increase the use of Student Engagement to improve teaching and learning.

- The Student Engagement Rubric will be used as a pre and post assessment by the PLP coach in collaboration with the principal to show growth in at least one element in each of the three components of student engagement.
- On-going communication with the Pivot coaches throughout the year and three formal meetings with the Pivot coaches serving on the SAUSD project to align coaching and professional development practices with this scope of work, provide reports and evaluations and conduct status reviews, supervision and feedback

## **Costs:**

### **Secondary Area Meetings**

Four executive coaches at Secondary Area Meetings for classroom walk-throughs and enhancing administrator team capacity in giving feedback to their staff. This includes preparation of materials for meetings, site visits, follow up and attendance at training in the SIOP model and Thinking maps.

4 executive coaches x 1575 x 12 days \$75,600

### **Individual School Site Coaching at the Secondary Level**

Individual school site coaching of the Administrator Team at 9 intermediate schools, 7 high schools and 1 alternative school (serving 3 sites). SIOP model and Thinking Maps training for coaches in order to align professional development with school site coaching for the purpose of effective implementation in the classroom.

17 administrative team school site coaches X 1313 X 7 days \$156,247

### **Algebra Support at the Secondary Level**

One algebra coach to participate in classroom walk-throughs and feedback in algebra content at the Area meetings as well as attendance at training in the SIOP model and Thinking Maps.

1 algebra coach X 1313 X 8 \$10,504

One algebra coach to participate in 2 coaching meetings with the district director of secondary, the district math specialist and/or the UCI and CPM staff development trainers to link and strengthen the work of Pivot and SAUSD working together for implementation of effective strategies in algebra.

1 algebra coach X 1313 X 2 days \$2,626

### **District Support**

District coaching and embedded professional development, using the Pivot leadership cycle and change management tools to create common messages, and designing vertical articulation meetings with district leaders in elementary and secondary.

8 days X 2 coaches X 1575 \$25,200

### **Project Leadership and Accountability**

Regular meetings with the Superintendent and district staff, mid year and end of year reports, coordination with Pivot coaches, district systems change rubric, aggregation of data and summary of pre and post results in designated areas of focus.

6 days X 2 executive coaches X 1575 \$18,900

**Total** **\$289,007**

**AGENDA ITEM BACKUP SHEET****May 24, 2011****Board Meeting**

**TITLE:** **Board Policy (BP) 5118 – Open Enrollment Act Transfers**  
**(New: For Adoption)**

**ITEM:** **Action**

**SUBMITTED BY:** **Doreen Lohnes, Assistant Superintendent, Support Services**  
**Nancy Diaz-Miller, Senior Director, Pupil Support Services**

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**BACKGROUND INFORMATION:**

In accordance with the No Child Left Behind Act of 2001, Santa Ana Unified School District has provided the option of Public School Choice to families of eligible students attending a Program Improvement School. As a DAIT (District Assistance and Intervention Team) District, SAUSD offers both intra and inter-district public school choice transfers.

The purpose of this agenda item is to seek Board approval of a new Board Policy 5118 - Open Enrollment Act Transfers, pursuant to January 2010 legislation in California, SB4 (Romero). This Board Policy provides an option similar to the transfer option available under the No Child Left Behind Act referenced above. Whenever a student is attending a district school on the Open Enrollment List as identified by the Superintendent of Public Instruction, he/she may request to transfer to another school within or outside of the district, as long as the school to which he/she is transferring has a higher Academic Performance Index. (Education Code 48354, 48356)

**RATIONALE:**

As developed by the California School Boards Association and recommended by staff of School Legal Services, Orange County Department of Education, Board Policy 5118 is in accordance with state law and regulations and certain federal guidelines. It includes the following procedures:

- School District of Residence shall provide the parents/guardians of all pupils enrolled in a school determined to be on the list of 1,000 lowest achieving schools created by the Superintendent of Public Instruction with notice of their option to transfer to another public school served by the school district of residence or another school district.
- Transfer applications shall be submitted between April 1 and April 30 of the preceding school year.
- A parent/guardian may appeal a district's denial of transfer request within 10 days of the receipt of written notification of denial.

A summary of Board Policy 5118, listing all key points, is included. The recommended new policy will bring the District into compliance with state law and regulations and federal guidelines.

**FUNDING:**

Not Applicable

**RECOMMENDATION:**

Presented for adoption.

/cvi

StudentsOpen Enrollment Act Transfers

The Governing Board desires to offer enrollment options in order to provide children with opportunities for academic achievement that meet their diverse needs. Such options shall also be provided to children who reside within another district's boundaries in accordance with law, Board policy, and administrative regulation.

Whenever a student is attending a district school on the Open Enrollment List as identified by the Superintendent of Public Instruction, he/she may transfer to another school within or outside of the district, as long as the school to which he/she is transferring has a higher Academic Performance Index. (Education Code 48354, 48356)

A parent/guardian whose child is attending a district school on the Open Enrollment List and who wishes to have his/her child attend another school within the district shall apply for enrollment using BP/AR 5116.1 - Intradistrict Open Enrollment. (cf. 5116.1 - Intradistrict Open Enrollment) (cf. 5117 - Interdistrict Attendance)

In order to ensure that priorities for enrollment in district schools are implemented in accordance with law, the Board hereby waives the January 1 deadline in Education Code 48354 for all applications for transfer from nonresident parents/guardians of children attending a school on the Open Enrollment List in another district. Transfer applications shall be submitted between April 1 through April 30 of the preceding school year for which the transfer is requested, except for applications for the District's fundamental schools. Transfer applications submitted pursuant to this policy will be accepted for the District's fundamental schools only upon completion of the District's internal transfer process, including exhaustion of the wait list, as set forth in Board Policy/Administrative Regulation 5116.2 (cf. 5111.1 - District Residency) (cf. 5111.12 - Residency Based on Parent/Guardian Employment)

The Board may deny a transfer out of or into the district upon a determination by the Board that the transfer would negatively impact a court-ordered or voluntary desegregation plan in accordance with Education Code 48355.

Standards for Rejection of Transfer Applications

Pursuant to Education Code 48356, the Board has adopted the following standards for acceptance and rejection of transfer applications submitted by a parent/guardian of a student attending a school in another district on the Open Enrollment List. The Superintendent or designee shall apply these standards in accordance with Board policy and administrative regulation and shall ensure that the standards are applied uniformly and consistently applied.

As applicable, the Superintendent or designee may deny a transfer application under any of the following circumstances:

1. Upon a determination that approval of the transfer application would negatively impact the capacity of a program, class, grade level, or school building, including:
  - a. The class or grade level exceeding the district's limits pursuant to the state Class Size Reduction Program or the Morgan/Hart Class Size Reduction Program for Grades 9-12.
  - b. The site, classroom, or program exceeding the maximum student-teacher ratio specified in the district's collective bargaining agreement.
  - c. The site or classroom exceeding the physical capacity of the facility pursuant to the district's facilities master plan or other facility planning document.
  - d. The class or grade level exceeding capacity pursuant items #a-#c above in subsequent years as the student advances to other grade levels at the school. (cf. 6151 - Class Size) (cf. 7110 - Facilities Master Plan).
2. Upon a determination that approval of the transfer application would have an adverse financial impact on the district, including:
  - a. The hiring of additional certificated or classified staff
  - b. The operation of additional classrooms or instructional facilities
  - c. Expenses incurred by the district that would not be covered by the apportionment of funds received from the state resulting in a reduction of the resources available to resident students.

#### Appeal Process for Denials of Transfer Applications

A parent/guardian may appeal the district's denial of a transfer application to the Board by filing a written request of appeal with the Superintendent or designee within 10 days of the receipt of the written notification of denial. In addition, a parent/guardian who believes he/she has been subject to discrimination may file an appeal using the district's Uniform Complaint Procedures. (cf. 1312.3 - Uniform Complaint Procedures)

The Board shall schedule an appeal hearing as soon as practicable at a regular or special meeting of the Board. At the hearing, the parent/guardian shall have the right to present oral or written evidence, rebut district evidence, and question any district witnesses. Unless the parent/guardian requests that the hearing be held in open session, the hearing shall be held in closed session in order to protect the privacy of students in accordance with law. (cf. 9321- Closed Session Purposes and Agendas)

The Board shall make its decision no later than its next regularly scheduled meeting and shall send its decision to all concerned parties. The Board's decision shall be final.

### Program Evaluation

The Superintendent or designee shall collect data regarding the number of students who transfer out of the district pursuant to the Open Enrollment Act. He/she also shall collect data regarding the number of students who apply to transfer into the district, the number of requests granted, denied, or withdrawn, and the district schools and programs receiving applications.

When the Superintendent or designee anticipates that a particular school will receive a large number of transfer applications, he/she shall study the enrollment pattern at that school in order to anticipate future resident enrollment at the school and at the district schools into which those students would normally matriculate.

The Superintendent or designee shall regularly report to the Board regarding the implementation of this program.

### Legal Reference:

#### EDUCATION CODE

200	Prohibition of discrimination
35160.5	District policies, rules, and regulations
46600-46611	Interdistrict attendance agreements
48200	Compulsory attendance
48204	Residency requirements for school attendance
48300-48316	Student attendance alternatives, school district of choice program
48350-48361	Open Enrollment Act
48915	Expulsion; particular circumstances
48915.1	Expelled individuals: enrollment in another district
52317	Regional Occupational Center/Program, enrollment of students, interdistrict attendance

#### FAMILY CODE

6500-6552	Caregivers
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#### UNITED STATES CODE, TITLE 20

6316	Transfers from program improvement schools
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#### CODE OF REGULATIONS, TITLE 5

4700-4703	Open Enrollment Act
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#### CODE OF FEDERAL REGULATIONS, TITLE 34

200.36	Dissemination of information
200.37	Notice of program improvement status, option to transfer
200.39	Program improvement, transfer option
200.42	Corrective action, transfer option
200.43	Restructuring, transfer option
200.44	Public school choice, program improvement schools

ATTORNEY GENERAL OPINIONS

87 Ops.Cal.Atty.Gen. 132 (2004)

84 Ops.Cal.Atty.Gen. 198 (2001)

COURT DECISIONS

Crawford v. Huntington Beach Union High School District, (2002) 98 Cal.App.4th 1275

Management Resources:

WEB SITES

CSBA: <http://www.csba.org>

California Department of Education: <http://www.cde.ca.gov>

**AGENDA ITEM BACKUP SHEET****May 24, 2011****Board Meeting**

**TITLE:** Administrative Regulation (AR) 5118 - Open Enrollment Act Transfers  
(New: For Implementation)

**ITEM:** Action

**SUBMITTED BY:** Doreen Lohnes, Assistant Superintendent, Support Services  
Nancy Diaz-Miller, Senior Director, Pupil Support Services

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**BACKGROUND INFORMATION:**

The purpose of this agenda item is to provide the Board with information on a new Administration Regulation 5118, aligned to Board Policy 5118 - Open Enrollment Act Transfers. Board Policy 5118 is pursuant to January 2010 legislation in California, SB 4 (Romero). Whenever a student is attending a district school on the Open Enrollment List as identified by the Superintendent of Public Instruction, he/she may request to transfer to another school within or outside of the district, as long as the school to which he/she is transferring has a higher Academic Performance Index. (Education Code 48354, 48356)

**RATIONALE:**

As developed by the California School Boards Association and recommended by the staff of School Legal Services, Orange County Department of Education, Administrative Regulation 5118 includes the following major provisions:

- No student who resides within a school's attendance area or who is currently enrolled in a school shall be displaced by a student who is transferring.
- The application deadline shall not apply to an application requesting a transfer if parent/guardian is enlisted in the military and was relocated by the military.
- Within 60 days of receiving the application, parent/guardian shall receive written notification informing them the transfer request has been approved or denied.
- Parent/guardians are responsible for transportation.

A summary of Administrative Regulation (AR) 5118, listing all key points, is included. This new Administrative Regulation policy will bring the District into compliance with state law and regulations and federal guidelines.

**FUNDING:**

Not Applicable

**RECOMMENDATION:**

Presented for implementation.

**SANTA ANA UNIFIED SCHOOL DISTRICT**

AR 5118 (a)

**Students**

**Open Enrollment Act Transfers**

**Definitions**

District of enrollment means the district, other than the district in which the student's parent/guardian resides, in which the parent/guardian intends to enroll his/her child. (Education Code 48352) District of residence means the district in which the parent/guardian of a student resides and in which the student would otherwise be required to enroll pursuant to Education Code 48200. (Education Code 48352) (cf. 5111.1 - District Residency) (Open Education Code 48352; 5 CCR 4701)

Enrollment school means a "low-achieving" school identified by the Superintendent of Public Instruction (SPI) pursuant to Education Code 48352 and 5 CCR 4701. (Transfer Applications into a District School)

Enrollment priority shall be available to students who reside within this district. No student who resides within a school's attendance area or who is currently enrolled in a school shall be displaced by a student who is transferring pursuant Education Code 48350-48361 or 5 CCR 4700-4703. (Education Code 48354, 48356)

Applications shall be submitted within the deadlines established by Board policy. However, the application deadline shall not apply to an application requesting a transfer if the parent/guardian with whom the student resides is enlisted in the military and was relocated by the military within 90 days prior to submitting the application. (Education Code 48354) (cf. 6173.2 - Education of Children of Military Families)

The parent/guardian's application may request enrollment of his/her child in a specific school or program. Requests for admission to a magnet school or program designed to serve gifted and talented students shall be subject to the usual admission requirements established by the district for district students. Except for such specialized admission requirements, the Superintendent or designee shall not consider the student's previous academic achievement, athletic performance, physical condition, English language proficiency, family income, or any of the prohibited bases for discrimination listed in Education Code 200. (Education Code 48354, 48356) (cf. 0410 - Nondiscrimination in District Programs and Activities) (cf. 6172 - Gifted and Talented Student Program)

Students applying for open enrollment transfers shall be assigned priority for approval as follows: (Education Code 48356):

1. First priority for the siblings of students who already attend the desired school.

2. Second priority for students transferring from a program improvement school ranked in decile 1 on the Academic Performance Index (API).

If the number of students who request a particular school exceeds the number of spaces available at that school, the Superintendent or designee shall conduct a lottery, in the group priority order identified in items #1 and #2 above, to select students at random until all of the available spaces are filled. (Education Code 48356)

Within 60 days of receiving the application, the Superintendent or designee shall provide written notification to the parent/guardian and the student's district of residence as to whether the application has been accepted or rejected. If the application has been rejected, the notice shall state the reasons for the rejection. If the application has been approved, the notification shall specify the particular school site and the school's address to which the student has been admitted. (Education Code 48357; 5 CCR 4702)

#### Terms of Approval

The Superintendent or designee shall ensure that the school to which the student is transferring has a higher API than the school in which the student was previously enrolled. (Education Code 48356)

The parent/guardian shall enroll his/her child on or before the first day of instruction or within 14 calendar days of receipt of the district's notice of approval of the application, whichever is later. If the parent/guardian fails to enroll his/her child within this timeframe, the district may decline to enroll the student. (5 CCR 4703)

Upon enrollment, the district shall grant the student any credits towards graduation that he/she received from his/her district of residence. The student shall be eligible for graduation from district schools upon completion of state and district of enrollment graduation requirements. (Education Code 48358) (cf. 6143 - Courses of Study) (cf. 6146.1 - High School Graduation Requirements) (cf. 6146.5 - Elementary/Middle School Graduation Requirements) (cf. 6162.52 - High School Exit Examination)

A student admitted to a district school through this process shall be deemed to have fulfilled district residency requirements pursuant to Education Code 48204 and shall not be required to reapply for enrollment in that school, regardless of whether his/her school of residence remains on the Open Enrollment List. (Education Code 48356; 5 CCR 4702)

Once admitted, a transfer student who wishes to matriculate into a district middle or high school or transfer to another district school shall reapply for admission to the new school pursuant to the requirements of Board policy and administrative regulation. Parents/guardians are responsible for transporting their children to school.

Transfers Out of District Schools on the Open Enrollment List

Upon identification by the California Department of Education (CDE) that a district school is on the Open Enrollment List, the Superintendent or designee shall notify the parents/guardians of each student enrolled in the school of the option to transfer. This notice shall be provided by the first day of instruction. However, if the CDE has not notified the district whether a school is on the list by the first day of instruction, the notification shall be provided no later than 14 calendar days after the Open Enrollment List is posted on the CDE's web site. (Education Code 48354; 5 CCR 4702) (cf. 0520.2 - Title I Program Improvement Schools) (cf. 5145.6 - Parental Notifications)

Approved:

Santa Ana, CA

# **SUMMARY OF NEW ADMINISTRATIVE REGULATION (AR) 5118 SANTA ANA UNIFIED SCHOOL DISTRICT**

## **AR 5118 Recommendations**

### **Page (a) Open Enrollment Act Transfers**

#### **Definitions**

##### **New:**

Enrollment school means a “low-achieving” school identified by the Superintendent of Public Instruction (SPI) pursuant to Education Code 48352 and 5 CCR 4701. (Transfer Applications into a District school)

Enrollment priority shall be available to students who reside within this district. No student who resides within a school’s attendance area or who is currently enrolled in a school shall be displaced by a student who is transferring pursuant Education Code 48350-48361 or 5 CCR 4700-4703. (Education Code 48354, 48356)

However, the application deadline shall not apply to an application requesting a transfer if the parent/guardian with whom the student resides is enlisted in the military and was relocated by the military within 90 days prior to submitting the application. (Education Code 48354)

Superintendent or designee shall not consider the student’s previous academic achievement, athletic performance, physical condition, English language proficiency, family income, or any of the prohibited bases for discrimination listed in Education Code 200. (Education Code 48354, 48356)

### **Page (b) Students applying for open enrollment transfers shall be assigned priority for approval**

##### **New:**

1. First priority for the siblings of students who already attend the desired school
2. Second priority for students transferring from program improvement school ranked in decile 1 on the Academic Performance Index (API)

##### **New:**

If the number of students who request a particular school exceeds the number of spaces available at that school, conduct a lottery, in the group priority order

##### **New:**

Within 60 days of receiving the application, Superintendent or designee shall provide written notification to parent/guardian and the student’s district of residence as to whether the application has been accepted or rejected.

**SUMMARY OF NEW ADMINISTRATIVE REGULATION (AR) 5118  
SANTA ANA UNIFIED SCHOOL DISTRICT**

**Page (b) Terms of Approval**

**New:**

The Superintendent or designee shall ensure that the school to which the student is transferring has a higher API than the school in which the student was previously enrolled. (5 CCR 4703)

**New:**

The parent/guardian shall enroll his/her child on or before the first day of instruction or within 14 calendar days of receipt of the district's notice of approval of the application, whichever is later. If the parent/guardian fails to enroll his/her child within this timeframe, the district may decline to enroll the student. (5 CCR 4703)

**Page (c) Terms of Approval**

**New:**

A student admitted to a district school through this process shall be deemed to have fulfilled district residency requirements pursuant to Education Code 48204 and shall not be required to reapply for enrollment in that school, regardless of whether his/her school of residence remains on the Open Enrollment List

**New:**

Guardians are responsible for transporting their children and school

**AGENDA ITEM BACKUP SHEET**  
**May 24, 2011**

**Board Meeting**

**TITLE:** Certification of Third Interim Financial Status (Qualified)

**ITEM:** Action

**SUBMITTED BY:** Michael P. Bishop, Sr., CBO, Associate Superintendent, Business Services

**PREPARED BY:** Swandayani Singgih, Assistant Director of Fiscal Services

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**BACKGROUND INFORMATION:**

The purpose of this agenda item is to seek Board certification of the Third Interim. Education Code Section 42130 requires district superintendents to prepare and submit two interim financial reports to governing boards. A third interim financial report is also required for those districts with a "qualified" or "negative" certification at second interim. A certification by the Governing Board concerning the financial status of the District is required to be submitted to the County Superintendent of Schools.

**RATIONALE:**

Education Code Section 42131 requires the Board to certify whether or not the District is able to meet its financial obligations for the remainder of this fiscal year and for the subsequent two fiscal years based on the financial information known as of April 30, 2011.

The report shows that, given the magnitude of recent State Budget reductions, the District may not be able to merit its financial obligations through the remainder of this fiscal year or for the subsequent two years.

The Third Interim Report, upon acceptance by the Board, will be forwarded to the Orange County Department of Education. The detailed General Fund schedules for attendance, revenues, expenditures, cash flow, and multi-year projections will also be forwarded.

**FUNDING:**

Not Applicable

**RECOMMENDATION:**

Certify the District financial status as "qualified."

**AGENDA ITEM BACKUP SHEET**  
**May 24, 2011**

**Board Meeting**

**TITLE:** Approval to Call for Public Hearing for Adoption of 2011-12 Budget

**ITEM:** Action

**SUBMITTED BY:** Michael P. Bishop, Sr., CBO, Associate Superintendent, Business Services

**PREPARED BY:** Swandayani Singgih, Assistant Director of Fiscal Services

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**BACKGROUND INFORMATION:**

The purpose of this agenda item is to seek Board approval to call for a Public Hearing for adoption of the 2011-12 budget. Education Code Section 42127(a) requires school district governing boards to hold a public hearing on the 2011-12 budget before adoption. The budget and supporting data will be available for public inspection at 1601 East Chestnut Avenue, Santa Ana, California.

**RATIONALE:**

In order to comply with Education Code Section 42127(a), the District is calling for a public hearing concerning the adoption of the 2011-12 budget.

**FUNDING:**

Not Applicable

**RECOMMENDATION:**

Approve the call for a Public Hearing on June 14, 2011, concerning the adoption of the 2011-12 budget.

**AGENDA ITEM BACKUP SHEET**  
**May 24, 2011**

**Board Meeting**

**TITLE:** Board Policy 3100.1 – Establishment and Reservations of Fund Balance as Defined by Governmental Accounting Standards Board 54 (New: For Adoption)

**ITEM:** Action

**SUBMITTED BY:** Michael P. Bishop, Sr., CBO, Associate Superintendent, Business Services

**PREPARED BY:** Christeen Betz, Assistant Director of Fiscal Services

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**BACKGROUND INFORMATION:**

The purpose of this agenda item is to seek Board adoption of Board Policy 3100.1 – Establishment and Reservations of Fund Balance, Minimum Fund Balance Policy, and Spending Order as Defined by Governmental Accounting Standards Board (GASB) 54.

**RATIONALE:**

At the May 10, 2011 Board meeting, this item was taken for first reading. Administration is requesting the Board of Education to adopt Board Policy 3100.1 – Establishment and Reservations of Fund Balance, Minimum Fund Balance Policy, and Spending Order as Defined by Governmental Accounting Standards Board 54.

The Governmental Accounting Standards Board (GASB) released Statement 54 – “Fund Balance Reporting and Governmental Fund Type Definitions” on March 11, 2009 is effective for fiscal year ending June 30, 2011. The objective of GASB 54 is to enhance the usefulness of fund balance information by providing clearer fund balance classification that can be more consistently applied by clarifying the existing governmental fund type definitions. The GASB standards are enforced by the California Department of Education and the audit process.

**FUNDING:**

Not Applicable

**RECOMMENDATION:**

Presented for adoption.

## **SANTA ANA UNIFIED SCHOOL DISTRICT**

**BP 3100.1**

### Business and Noninstructional Operations

#### Establishment and Reservations of Fund Balance as Defined by Governmental Accounting Standards Board 54

The District hereby establishes and will maintain reservations of Fund Balance, as defined herein, in accordance with Governmental Accounting and Financial Standards Board Statement No. 54, Fund Balance Reporting and Governmental Fund Type Definitions. This policy shall only apply to the District's governmental funds. Fund Balance shall be composed of nonspendable, restricted, committed, assigned, and unassigned amounts.

- **Nonspendable Fund Balance** consists of funds that cannot be spent due to their form (e.g. inventories and prepaids) or funds that legally or contractually must be maintained intact.
- **Restricted Fund Balance** consists of funds that are mandated for a specific purpose by external parties, constitutional provisions or enabling legislation.
- **Committed Fund Balance** consists of funds that are set aside for a specific purpose by the district's highest level of decision making authority (governing board). Formal action must be taken prior to the end of the fiscal year. The same formal action must be taken to remove or change the limitations placed on the funds.
- **Assigned Fund Balance** consists of funds that are set aside with the intent to be used for a specific purpose by the district's highest level of decision making authority or a body or official that has been given the authority to assign funds. Assigned funds cannot cause a deficit in unassigned fund balance.
- **Unassigned Fund Balance** consists of excess funds that have not been classified in the previous four categories. All funds in this category are considered spendable resources. This category also provides the resources necessary to meet unexpected expenditures and revenue shortfalls.

### **Minimum Fund Balance Policy**

The governing board maintains a minimum fund balance policy for the General Fund in order to protect the district against revenue shortfalls or unpredicted one-time expenditures. The policy requires a Reserve for Economic Uncertainties consisting of unassigned amounts equal to no less than ~~three~~ **two** percent of General Fund expenditures and other financing uses.

### **Stabilization Arrangement ~~(if elected by the LEA)~~**

A portion of the fund balance of the General Fund is committed for stabilization arrangements, such as might be needed in emergency situations or when revenue shortages or budgetary imbalances occur. The resolution states that, at fiscal year-end, an amount approximately equal to, but not less than, ~~10%~~ **seven percent** of the annual operating expenditures of the General Fund is to be committed for use in covering catastrophic losses, including natural and man-made disasters, insurance loss reserves, and limited operating expenses in a period of severe economic uncertainty. On June 30, ~~2011, \$5,000,000~~ of **each fiscal year, seven percent of** the fund balance for the General Fund ~~was~~ **is** reported as committed for economic stabilization. The resolution recognizes that under extreme conditions, the use of resources may result in the committed fund balance amount dropping below the established threshold. Such amounts are required to be reinstated by the end of the subsequent fiscal year.

### **Authority to Commit Funds**

The governing board is the highest level of decision-making authority for the district. Commitments may be established, modified, or rescinded only through budget adoption or resolutions as approved by the governing board.

### **Authority to Assign Funds**

The governing board or designee ~~(should be defined, such as chief business officer or director of business)~~ **associate superintendent, business services/chief business officer** may assign amounts for specific purposes.

### **Spending Order Policy**

When an expenditure is incurred for purposes for which both restricted and unrestricted fund balance is available, the district considers restricted funds to have been spent first. When an expenditure is incurred for which committed, assigned, or unassigned fund balances are available, the district considers amounts to have been spent first out of committed funds, then assigned funds, and finally unassigned funds, as needed, unless the governing board has provided otherwise in its commitment or assignment actions.

### **Annual Review and Determination of Fund Balance Reserve Amounts**

Compliance with the provisions of this policy shall be reviewed, presented, and discussed as part of the Unaudited Actuals Financial Reporting process and presentation to the Governing Board. The amounts of nonspendable, restricted, committed, assigned, and unassigned fund balances shall be reported in the Unaudited Actuals report.

Adopted:

Santa Ana, CA

**AGENDA ITEM BACKUP SHEET**  
**May 24, 2011**

**Board Meeting**

**TITLE:** Adoption of Resolution No. 10/11-2881 – Establishing Fund Balance Policies as Required by Governmental Accounting Standards Board 54

**ITEM:** Action

**SUBMITTED BY:** Michael P. Bishop, Sr., CBO, Associate Superintendent, Business Services

**PREPARED BY:** Christeen Betz, Assistant Director of Fiscal Services

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**BACKGROUND INFORMATION:**

The purpose of this agenda item is to seek Board adoption of Resolution No. 10/11-2881, Establishing Fund Balance Policies, Minimum Fund Balance Policy, and Spending Order as Required by Governmental Accounting Standards Board (GASB) 54.

**RATIONALE:**

This resolution defines GASB 54 fund balance components, and will change how fund balance is reported. The hierarchy of five possible GASB 54 classifications is as follows:

- **Nonspendable Fund Balance** consists of funds that cannot be spent due to their form (e.g. inventories and prepaids) or funds that legally or contractually must be maintained intact.
- **Restricted Fund Balance** consists of funds that are mandated for a specific purpose by external parties, constitutional provisions or enabling legislation.
- **Committed Fund Balance** consists of funds that are set aside for a specific purpose by the district's highest level of decision making authority (governing board). Formal action must be taken prior to the end of the fiscal year. The same formal action must be taken to remove or change the limitations placed on the funds.
- **Assigned Fund Balance** consists of funds that are set aside with the intent to be used for a specific purpose by the district's highest level of decision making authority or a body or official that has been given the authority to assign funds. Assigned funds cannot cause a deficit in unassigned fund balance.
- **Unassigned Fund Balance** consists of excess funds that have not been classified in the previous four categories. All funds in this category are considered spendable resources. This category also provides the resources necessary to meet unexpected expenditures and revenue shortfalls.

This resolution will also establish a minimum fund balance policy and spending order policy.

**FUNDING:**

Not Applicable

**RECOMMENDATION:**

Adoption of Resolution No. 10/11-2881, Establishing Fund Balance Policies as Required by GASB 54.

## ESTABLISHING FUND BALANCE POLICIES AS REQUIRED BY GASB 54

Clerk of the Board of Education of the  
Santa Ana Unified School District,  
State of California

**AGENDA ITEM BACKUP SHEET**  
**May 24, 2011**

**Board Meeting**

**TITLE:** Authorization to Award Contract for Warehouse Inventory Tracking and Scanning Equipment and Software for Fairview Warehouse to Data Systems International

**ITEM:** Action

**SUBMITTED BY:** Michael P. Bishop, Sr., CBO, Associate Superintendent, Business Services

**PREPARED BY:** Holger Kasper, Director of Logistics  
Jonathan Geiszler, Manager of Purchasing

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**BACKGROUND INFORMATION:**

The purpose of this agenda item is to seek Board authorization to award a contract for the purchase of warehouse inventory tracking and scanning equipment and software for the Fairview warehouse to Data Systems International.

**RATIONALE:**

At the January 22, 2011 meeting the Board authorized staff to obtain Requests for Proposal (RFP) for warehouse inventory tracking and scanning equipment and software for the Fairview warehouse.

The RFP was advertised, as legally required, in the *Orange County Register* newspaper. Ten vendors received copies of the request for proposal documents. One vendor submitted a response to the District RFP. Staff recommends an award to Data Systems International, Inc. in the amount not to exceed \$203,000. The vendor selection is in compliance with Board Policy and Education Code 20118.1-2.

**FUNDING:**

General Fund: \$203,000

**RECOMMENDATION:**

Authorize staff to award contract for the purchase of inventory tracking and scanning equipment and software for the Fairview warehouse to Data Systems International, Inc. in the amount not to exceed \$203,000 pursuant to RFP # 35-11.

**AGENDA ITEM BACKUP SHEET**  
**May 24, 2011**

**Board Meeting**

**TITLE:** Authorization to Award Contract for Purchase of School and Office Furniture to Concepts Furnishings, Inc.

**ITEM:** Action

**SUBMITTED BY:** Michael P. Bishop, Sr., CBO, Associate Superintendent, Business Services  
Joe Dixon, Assistant Superintendent, Facilities & Governmental Relations

**PREPARED BY:** Jonathan Geiszler, Manager of Purchasing  
Todd Butcher, Director of Construction

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**BACKGROUND INFORMATION:**

The purpose of this agenda item is to seek Board authorization to award a contract to Concepts Furnishings, Inc., for the purchase of school and office furniture, utilizing the Chula Vista Elementary School District contract with Concepts Furnishings, Inc. pursuant to piggyback Bid No. 09/10-10. Legal counsel from the Orange County Department of Education approved the use of this piggyback bid.

**RATIONALE:**

The Chula Vista Elementary School District awarded a competitively bid contract, Bid # 09/10-10, to Concepts Furnishings, Inc., for the purchase of school and office furniture. By utilizing the Chula Vista Elementary School District contract the District will save the cost of competitively bidding for school and office furniture while continuing to provide school furnishings that meet District standards and maintain a consistent level of safety and quality throughout the District. The District is authorized by Public Contract Code Section 20118 to utilize contracts awarded by other districts. Staff review of pricing provided to the District under this contract was determined to be fair and reasonable.

**FUNDING:**

Measure G/ State School Facility Program/General Fund

**RECOMMENDATION:**

Authorize staff to award contract for the purchase of school and office furniture to Concepts Furnishings, Inc. pursuant to piggyback Bid No. 09/10-10.

May 24, 2011

**Board Meeting**

**TITLE:** Authorization to Issue Request for Proposals for Solar Power Purchase Agreement for Financial/Funding Services

**ITEM:** Action

**SUBMITTED BY:** Joe Dixon, Assistant Superintendent, Facilities & Governmental Relations

**PREPARED BY:** Tova K. Corman, Sr. Facilities Planner

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**BACKGROUND INFORMATION:**

The purpose of this agenda item is to seek Board authorization to issue a Request for Proposals (RFP) for Power Purchase Agreement (PPA) for Financial/Funding Services for potential solar photovoltaic (PV) projects within the District.

**RATIONALE:**

The District is currently exploring energy solar PV system(s), solar thermal heating, and other energy efficiency measures in the District. Pursuant to Government Code Section 4217, the District is not required to have a competitive process for energy projects; however, for transparency, competitive pricing, and best management practices, the District is requesting authorization to issue an RFP for PPA Financial/Funding Services. The energy efficiency/savings projects will result in a reduction in energy consumption or demand. This would reduce monthly energy costs and free up General Fund. A feasibility study/preliminary solar assessment was performed by Chevron Energy Solutions to determine the schools identified as Phase II potential projects. Chevron Energy Solutions was approved on February 10, 2009 and, if approved, will be installing the solar systems.

List of potential sites, Phase II:

1. Godinez Fundamental High School
2. Mendez Fundamental Intermediate School
3. Santa Ana High School
4. Spurgeon Intermediate School
5. Valley High School
6. District Office

**FUNDING:**

To Be Determined

**RECOMMENDATION:**

Authorize staff to issue a Request for Proposals for Solar Power Purchase Agreements.

**AGENDA ITEM BACKUP SHEET****14.0****May 24, 2011****Board Meeting**

**TITLE:** Authorization to Award Contract for Bid Package No. 13 for Landscape and Irrigation at Santa Ana High School Under Overcrowding Relief Grant Program

**ITEM:** Action  
**SUBMITTED BY:** Joe Dixon, Assistant Superintendent, Facilities & Governmental Relations  
**PREPARED BY:** Todd Butcher, Director of Construction

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**BACKGROUND INFORMATION:**

The purpose of this agenda item is to seek Board authorization to award a contract for Bid Package No. 13 for landscaping and irrigation at Santa Ana High School. The scope of work includes all work associated with landscaping and irrigation.

**RATIONALE:**

Legal advertisements of notice calling for bids for Bid Package No. 13 for Landscape and Irrigation at Santa Ana High School were placed with the *Orange County Register* on April 8 and 15, 2011. Staff contracted 15 contractors of which eight picked up plans. On May 3, 2011, bid day, the District received two bids. The Architect and staff are in agreement that FYR Landscaping dba Pierre Sprinkler & Landscape represents the lowest bidder. This bid amount is within budget. The following is a list of all bids received

<b>Contractors:</b>	<b>Bid Amounts:</b>
<b>FYR Landscaping dba Pierre Sprinkler &amp; Landscape</b>	<b>\$484,275</b>
USS Cal Builders, Inc.	\$596,000

**FUNDING:**

State School Facility Program/Measure G: \$484,275

**RECOMMENDATION:**

Authorize staff to award contract to FYR Landscaping dba Pierre Sprinkler & Landscape for Bid Package No. 13 for Landscape and Irrigation at Santa Ana High School in the amount of \$484,275 under the Overcrowding Relief Grant program.

**AGENDA ITEM BACKUP SHEET**  
**May 24, 2011**

**Board Meeting**

**TITLE:**                   **Approval of Collective Bargaining Agreement With California School Employees Association, Chapter 41 for 2010-13 School Years**

**ITEM:**                   **Action**  
**SUBMITTED BY:**   **Juan M. Lopez, Associate Superintendent, Human Resources**  
**PREPARED BY:**   **Chad Hammitt, Executive Director, Human Resources**

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**BACKGROUND INFORMATION:**

The purpose of this agenda item is to seek Board approval of the Collective Bargaining Agreement with California School Employees Association, Chapter 41 for 2010-13 school years.

Under the provisions of Section 3457.5 of the Government Code, local educational agencies are required to publicly disclose the provisions of all collective bargaining agreements before entering into a written agreement.

**RATIONALE:**

Under AB 2756, the school district superintendent and chief business official are required to certify that costs incurred under the collective bargaining agreement can be met during the term of agreement, along with the corresponding budget reductions.

This agreement culminates a lengthy process that allowed both parties to address many contractual language concerns as listed in the attached agreement.

**FUNDING:**

Not applicable

**RECOMMENDATION:**

Approve the Collective Bargaining Agreement with California School Employees Association, Chapter 41, for 2010-13 school years.

**TENTATIVE AGREEMENT**  
Between  
**Santa Ana Unified School District**  
and  
**California School Employees Association, Chapter 41**

April 18, 2011

**Article 3.0 Hours of Work**

- 3.1.2 The starting and ending time of a work day shall be determined by the immediate supervisor. Unit members shall have the right to make written requests regarding the starting/ending time for their work day. If a unit member's request is not granted, the unit member may submit a written request, on a District provided form, regarding the starting/ending time for their work day to the Associate Superintendent of Human Resources or designee who shall meet and confer with CSEA in order to reach a resolution within twenty (20) duty days.

**Article 4.0 Wages and Wage Provisions**

For the 2010-2011 school year, the parties agree to:


- No Salary Reductions
- No Furlough Days
- No Layoffs
- No freezes in Salary Schedule, Step Increase and/or Longevity

For the 2011-2012 school year the District agrees to not initiate any layoffs unless precipitated by:

- a. For fiscal 2011/2012, the parties agree that no layoffs of classified bargaining unit members shall occur in the event the funded BRL per ADA for fiscal 2011/2012 does not fall below the amount of \$4856 as set forth in the Governor's proposed budget for fiscal 2011/2012. In the event the funded BRL per ADA for fiscal 2011/2012 does fall below the amount described above, the parties shall meet in good faith to reduce and mitigate any layoffs that may occur.
- b. Categorical funding levels
- c. State Flexibility

For purposes of this agreement, changes in "categorical funding levels" is defined as a reduction in a particular categorical fund from the 2010-2011 funding levels. "State Flexibility" is defined as Tier III programs.

Any layoffs in the 2011/2012 school year shall not result in the elimination of all members in a job classification, excluding classifications in Tier III or categorically funded programs.

CSEA 

SAUSD 

### **Article 5.0 Safety Conditions**

- 5.14.6 Unit members whose job duties require the handling of money shall be required to attend annual mandatory training on the District policies and procedures for handling money.
- 5.14.6.1 The District and CSEA shall meet and confer between the ratification of this agreement and June 30, 2012 to establish District-wide cash handling policies and procedures.
- 5.15.5 All complaints involving discrimination, harassment, and/or Hostile Work Environment shall be investigated, including interviews with the accuser and accused, by the District within twenty-five (25) duty days following written notification of the complaint or occurrence. An extension shall be granted by mutual agreement between the District and CSEA.
- 5.15.6 If a District supervisor/manager is involved in the complaint involving discrimination, harassment, and/or Hostile Work Environment and the initial investigation confirms this involvement, the District shall meet with CSEA in order to resolve the complaint. If an independent non-District investigator was not used, CSEA may request within twenty-five (25) duty days such an investigation. The independent investigator shall undertake and complete all investigations within seventy-five (75) duty days. An extension shall be granted by mutual agreement between the District and CSEA.

### **Article 6.0 Transfer and Promotional Procedures**

- 6.3.3 When vacancies occur, all unit members requesting a transfer shall be interviewed. When a unit member is not selected for a transfer, the unit member may request an appointment through Human Resources to discuss specific improvements, if applicable, that will assist the unit member in future transfers.
- At any time a unit member may decline and/or withdraw an employee-initiated reassignment/transfer request.
- 6.6 Summer School/Extended School Year (ESY): Selection for summer school/ESY openings will first be made from qualified applicants in the same job family as the opening. When, in the judgment and discretion of District management, two or more applicants are equally qualified, the applicant with greater District seniority shall be selected. Job family means the major headings on the classified salary schedule.

## **Article 7.0 Absences/Leaves**

- 7.3.8.17 The District shall provide FMLA information/updates to bargaining unit members on an annual basis. Additionally, the District shall provide contact information to all unit members regarding a Human Resources staff member who will be able to answer individual FMLA questions. All District timekeepers shall be trained as needed, as it relates to payroll.

## **Article 11.0 Employee Benefits**

All Health and Welfare benefits in the Collective Bargaining Agreement shall remain status quo with the exception of the following changes:

See plan attachment.

Kaiser HMO:

- Change office visit copayment from \$15 to \$20
- Emergency room copayment from \$50 to \$100 (waived if admitted)
- Hospital inpatient copayment of \$250 (per admission)

Blue Shield HMO:

- Change office visit copayment from \$15 to \$20
- Emergency room copayment from \$50 to \$100 (waived if admitted)
- Hospital inpatient copayment of \$250 (per admission)
- Change Brand Name Pharmaceutical copayment from \$20 to \$25 with a \$150 brand deductible (per calendar year)

Blue Shield PPO:

- Change Out of Network deductible from \$300 to \$600 (individual)
- Change Out of Network deductible from \$600 to \$1200 (family)
- Emergency room copayment from \$50 to \$100 (waived if admitted)
- Change Brand Name Pharmaceutical copayment from \$20 to \$25 with a \$150 brand deductible (per calendar year)

Prescription Drug Services will be changed from Blue Shield to Medco. The District shall designate a separate fund for the purpose of classified unit members rebate reimbursement pertaining to Medco prescription program. These funds shall be utilized to offset the Classified pharmacy self-insurance plan renewals rates.

The District, within 30 days of receiving the rebate funding from Medco prescription program shall submit copies of the Medco reimbursement payment (to CSEA).

Effective July 1, 2011, the SAUSD contribution for the Kaiser plan shall be 98% of the premium and the employee contribution shall be 2% of the premium.

CSEA/SAUSD TA 4/18/2011

Page 3 of 5

CSEA

SAUSD

Effective July 1, 2011, the SAUSD contribution for the Blue Shield HMO plan shall be 95% of the premium and the employee contribution shall be 5% of the premium.

Effective July 1, 2011, the SAUSD contribution for the Blue Shield PPO plan shall be 80% of the premium and the employee contribution shall be 20% of the premium. (No Change)

Mental Health Services will be changed from Optim Health to Blue Shield.

**PARTIAL RESTORATION OF 2008 LAYOFFS**

Effective July 1, 2011, employees in the classifications of Site Clerks, Library Media Technicians, and Instructional Assistants-Computer will have their hours increased as follows:


- 3.75 hour positions will be increased to 5.75 hours (not eligible for benefits)
- 4 hour positions will be increased to 6 hours

The classifications above shall not supplant, displace, or eliminate current classifications. As of July 1, 2011, new hires in the classifications above shall be placed at between 3.75 and 5.75 hours as determined by the District.

All new employees hired as of July 1, 2011 in the above classifications will not be eligible for Health & Welfare Benefits for any position 5.95 hours or less.

All current benefited employees hired prior to July 1, 2011 shall be grandfathered and will continue to receive their Health & Welfare Benefits.

CSEA 

SAUSD 

**Article 14.0 Term of Agreement and Re-Opener**

- 14.2 Except as otherwise specifically provided herein, the effective date of this Agreement shall be from July 1, 2010 through June 30, 2013, and shall continue in effect from year to year thereafter unless amended, modified, or terminated as provided below; any party wishing to amend, modify, or terminate this Agreement shall send written notice to the other party of its intentions to do so no sooner than February 1, 2013 and no later than March 31, 2013. Thereafter, the parties shall meet and negotiate in a good faith attempt to reach agreement for a successor collective bargaining agreement.

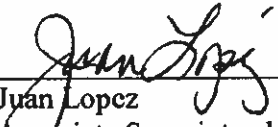
For 2011-2012 Negotiations re-openers, the District and Association on or before June 1, 2011 will propose contractual changes limited to salaries, fringe benefits, and three additional articles, in addition to the carry over articles of:

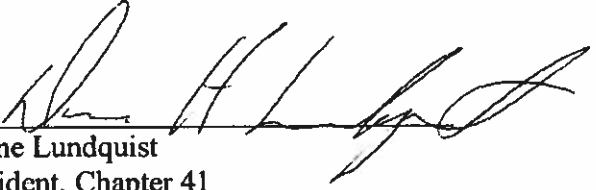
Article 9  
Article 15

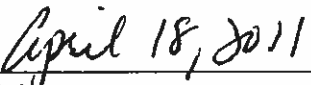
For 2012-2013 Negotiations, the District and the Association may propose contractual changes limited to salaries, fringe benefits, and any three additional articles for the 2012-2013 school year, by March 1, 2012.

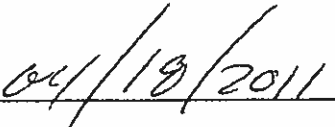
Prior to May 31, 2011 CSEA and SAUSD shall schedule meetings to meet and confer in order to work collaboratively to update and then publish the Collective Bargaining Agreement for 2010 through 2013. The updated Collective Bargaining Agreement shall be printed no later than August 1, 2011 unless both parties mutually agree to extend the deadline.

CSEA and SAUSD shall continue to negotiate the impact and possibility of restoring additional classifications.

  
\_\_\_\_\_  
Juan Lopez  
Associate Superintendent  
Santa Ana Unified School District

  
\_\_\_\_\_  
Duane Lundquist  
President, Chapter 41  
California School Employees Association

  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Date

**Orange County Department of Education  
District Fiscal Services**

**PUBLIC DISCLOSURE OF COLLECTIVE BARGAINING AGREEMENT  
in Accordance with AB 1200 (Chapter 1213/1991), GC 3547.5, and CCR, Title V, Section 15449**

Name of School District: **SANTA ANA UNIFIED SCHOOL DISTRICT**  
 Name of Bargaining Unit: **California School Employee Association (CSEA)**  
 Certificated, Classified, Other: **Classified**

The proposed agreement covers the period beginning: **July 1, 2010** and ending: **June 30, 2013**  
 (date) (date)

The Governing Board will act upon this agreement on: **May 24, 2011**  
 (date)

**A. Proposed Change in Compensation**

Compensation	Annual Cost Prior to Proposed Agreement  FY	Fiscal Impact of Proposed Agreement		
		Year 1 Increase/(Decrease) FY 2010-11	Year 2 Increase/(Decrease) FY 2011-12	Year 3 Increase/(Decrease) FY 2012-13
1 Salary Schedule Increase (Decrease)	\$ -	\$ -	\$ -	\$ -
2 Step and Column Increase (Decrease) Due to movement plus any changes due to settlement	\$ -	\$ -	\$ -	\$ -
3 Other Compensation - Increase (Decrease) (Stipends, Bonuses, Longevity, Overtime, etc.) Work hour increase from 3.75 to 5.75 hours and from 4 to 6 hours for Site Clerk, Library Media Technician, and Inst. Assistant-Computer positions effective July 1, 2011	\$ -	\$ -	\$ 1,178,257	\$ 1,178,257
Description of other compensation:				
4 Statutory Benefits - STRS, PERS, FICA, WC, UI, Medicare etc.	\$ -	\$ -	\$ 263,893	\$ 263,893
5 Health/Welfare Plans - Article 11.0 Employee Benefits	\$ -	\$ -	\$ 265,030	\$ 265,030
6 Total Compensation - Increase (Decrease) (Total Lines 1-5)	\$ -	\$ -	\$ 1,707,180	\$ 1,707,180
7 Total Number of Represented Employees (Use FTEs if appropriate)		0		
8 Total Compensation Average Cost per Employee		n/a		

9. What was the negotiated percentage increase approved? For example, if the increase in "Year 1" was for less than a full year, what is the annualized percentage of that increase for "Year 1"?

n/a

10. Were any additional steps, columns, or ranges added to the schedules? (If yes, please explain.)

n/a

11. Please include comments and explanations as necessary.

**The compensation of \$1,707,180 reflects the estimated two hour salary and statutory benefits increase for the Site Clerk, Library Media Technician, and Instructional Assistant-Computer positions from 3.75 to 5.75 hours and from 4 to 6 hours as well as the Health & Welfare cost increase due to plan design changes for classified employees effective July 1, 2011.**

12. Does this bargaining unit have a negotiated cap for Health and Welfare benefits? Yes ☐ No ☐

If yes, please describe the cap amount.

n/a

- B. Proposed Negotiated Changes in Noncompensation Items** (i.e., class size adjustments, staff development days, teacher prep time, classified staffing ratios, etc.)

n/a

- C. What are the specific impacts on instructional and support programs to accommodate the settlement?**  
Include the impact of changes such as staff reductions or increases, program reductions or increases, elimination or expansion of other services or programs (i.e., counselors, librarians, custodial staff, etc.)

n/a

- D. What contingency language is included in the proposed agreement?** Include specific areas identified reopeners, applicable fiscal years, and specific contingency language.  
**Refer to Article 14.0 of the Agreement.**

- E. Will this agreement create, increase or decrease deficit financing in the current or subsequent year(s)?**  
"Deficit Financing" is defined to exist when a fund's expenditures and other financing uses exceed its revenues and other financing sources in a given year. If yes, explain the amounts and justification for doing so.

**No, it will not. The costs are included in the budget reductions of \$31.5 and \$30 million for 2011-12 and 2012-13, respectively.**

- F. Identify other major provisions that do not directly affect the district's costs, such as binding arbitrations, grievance procedures, etc.**

n/a

**G. Source of Funding for Proposed Agreement**

**1. Current Year**

n/a

- 2. If this is a single year agreement, how will the ongoing cost of the proposed agreement be funded in subsequent years (i.e., what will allow the district to afford this contract)?**

n/a

- 3. If this is a multiyear agreement, what is the source of funding, including assumptions used, to fund these obligations in subsequent years? (Remember to include compounding effects in meeting obligations.)**

**Unrestricted General Fund (Tier III) and Categorical funds.**

## H. IMPACT OF PROPOSED AGREEMENT ON CURRENT YEAR OPERATING BUDGET

### Unrestricted General Fund

Enter Bargaining Unit: **California School Employee Association (CSEA)**

	Column 1	Column 2	Column 3	Column 4
	Board-Approved Budget (As of 5/24/11)	Adjustments as a Result of Settlement	Other Revisions	Total Current Budget (Columns 1+2+3)
<b>REVENUES</b>				
Revenue Limit Sources (8010-8099)	\$ 265,347,368	\$ -	\$ -	\$ 265,347,368
Remaining Revenues (8100-8799)	\$ 52,957,355	\$ -	\$ -	\$ 52,957,355
<b>TOTAL REVENUES</b>	\$ 318,304,723	\$ -	\$ -	\$ 318,304,723
<b>EXPENDITURES</b>				
Certificated Salaries (1000-1999)	\$ 157,375,097	\$ -	\$ -	\$ 157,375,097
Classified Salaries (2000-2999)	\$ 34,526,851	\$ -	\$ -	\$ 34,526,851
Employee Benefits (3000-3999)	\$ 62,294,125	\$ -	\$ -	\$ 62,294,125
Books and Supplies (4000-4999)	\$ 3,823,593	\$ -	\$ -	\$ 3,823,593
Services, Other Operating Expenses (5000-5999)	\$ 15,117,990	\$ -	\$ -	\$ 15,117,990
Capital Outlay (6000-6599)	\$ 240,032	\$ -	\$ -	\$ 240,032
Other Outgo (7100-7299) (7400-7499)	\$ 183,477	\$ -	\$ -	\$ 183,477
Direct Support/Indirect Cost (7300-7399)	\$ (4,932,032)	\$ -	\$ -	\$ (4,932,032)
Other Adjustments				
<b>TOTAL EXPENDITURES</b>	\$ 268,629,133	\$ -	\$ -	\$ 268,629,133
<b>OPERATING SURPLUS (DEFICIT)</b>	\$ 49,675,589	\$	\$	\$ 49,675,589
<b>TRANSFERS IN &amp; OTHER SOURCES (8910-8979)</b>	\$ -	\$	\$	\$ -
<b>TRANSFERS OUT &amp; OTHER USES (7610-7699)</b>	\$ 5,634,353	\$ -	\$ -	\$ 5,634,353
<b>CONTRIBUTIONS (8980-8999)</b>	\$ (45,591,675)	\$	\$	\$ (45,591,675)
<b>CURRENT YEAR INCREASE (DECREASE) IN FUND BALANCE</b>	\$ (1,550,439)	\$ *	\$	\$ (1,550,439)
<b>BEGINNING BALANCE</b>	\$ 80,301,832			\$ 80,301,832
Prior-Year Adjustments/Restatements (9793/9795)	\$ -			\$ -
<b>CURRENT-YEAR ENDING BALANCE</b>	\$ 78,751,394	\$	\$	\$ 78,751,394
<b>COMPONENTS OF ENDING BALANCE:</b>				
Reserved Amounts (9711-9740)	\$ 2,977,359	\$	\$	\$ 2,977,359
Reserved for Economic Uncertainties (9770)	\$ 56,896,763	\$	\$ -	\$ 56,896,763
Designated Amounts (9775-9780)	\$ 18,877,271	\$	\$	\$ 18,877,271
Unappropriated Amount (9790)	\$ -	\$	\$	\$ -

\* Please see question on page 7.

## H. IMPACT OF PROPOSED AGREEMENT ON CURRENT YEAR OPERATING BUDGET

### Restricted General Fund

Enter Bargaining Unit: **California School Employee Association (CSEA)**

	Column 1	Column 2	Column 3	Column 4
	Board-Approved Budget (As of 5/24/11)	Adjustments as a Result of Settlement	Other Revisions	Total Current Budget (Columns 1+2+3)
<b>REVENUES</b>				
Revenue Limit Sources (8010-8099)	\$ 10,016,197	\$ -	\$ -	\$ 10,016,197
Remaining Revenues (8100-8799)	\$ 150,730,920	\$ -	\$ -	\$ 150,730,920
<b>TOTAL REVENUES</b>	\$ 160,747,117	\$ -	\$ -	\$ 160,747,117
<b>EXPENDITURES</b>				
Certificated Salaries (1000-1999)	\$ 80,980,142		\$ -	\$ 80,980,142
Classified Salaries (2000-2999)	\$ 28,661,480	\$ -	\$ -	\$ 28,661,480
Employee Benefits (3000-3999)	\$ 36,077,229	\$ -	\$ -	\$ 36,077,229
Books and Supplies (4000-4999)	\$ 22,789,092	\$ -	\$ -	\$ 22,789,092
Services, Other Operating Expenses (5000-5999)	\$ 39,736,009	\$ -	\$ -	\$ 39,736,009
Capital Outlay (6000-6599)	\$ 1,025,106	\$ -	\$ -	\$ 1,025,106
Other Outgo (7100-7299) (7400-7499)	\$ 4,401,248	\$ -	\$ -	\$ 4,401,248
Direct Support/Indirect Cost (7300-7399)	\$ 4,025,312	\$ -	\$ -	\$ 4,025,312
Other Adjustments				
<b>TOTAL EXPENDITURES</b>	\$ 217,695,618	\$ -	\$ -	\$ 217,695,618
<b>OPERATING SURPLUS (DEFICIT)</b>	\$ (56,948,501)	\$	\$	\$ (56,948,501)
<b>TRANSFERS IN &amp; OTHER SOURCES (8910-8979)</b>	\$	\$	\$	\$ -
<b>TRANSFERS OUT &amp; OTHER USES (7610-7699)</b>	\$ 1,532,711	\$ -	\$ -	\$ 1,532,711
<b>CONTRIBUTIONS (8980-8999)</b>	\$ 45,591,675	\$	\$	\$ 45,591,675
<b>CURRENT YEAR INCREASE (DECREASE) IN FUND BALANCE</b>	\$ (12,889,537)	*	\$	\$ (12,889,537)
<b>BEGINNING BALANCE</b>	\$ 15,019,962			\$ 15,019,962
Prior-Year Adjustments/Restatements (9793/9795)	\$			\$
<b>CURRENT-YEAR ENDING BALANCE</b>	\$ 2,130,425	\$	\$	\$ 2,130,425
<b>COMPONENTS OF ENDING BALANCE:</b>				
Reserved Amounts (9711-9740)	\$ 2,130,425	\$	\$	\$ 2,130,425
Reserved for Economic Uncertainties (9770)	\$ -	\$	\$	\$ -
Designated Amounts (9775-9780)	\$ -	\$	\$	\$ -
Unappropriated Amount (9790)	\$ -	\$	\$	\$ -

\* Please see question on page 7.

## H. IMPACT OF PROPOSED AGREEMENT ON CURRENT YEAR OPERATING BUDGET

### Combined General Fund

Enter Bargaining Unit: **California School Employee Association (CSEA)**

	Column 1	Column 2	Column 3	Column 4
	Board-Approved Budget (As of 5/24/11)	Adjustments as a Result of Settlement	Other Revisions	Total Current Budget (Columns 1+2+3)
<b>REVENUES</b>				
Revenue Limit Sources (8010-8099)	\$ 275,363,565	\$ -	\$ -	\$ 275,363,565
Remaining Revenues (8100-8799)	\$ 203,688,275	\$ -	\$ -	\$ 203,688,275
<b>TOTAL REVENUES</b>	\$ 479,051,840	\$ -	\$ -	\$ 479,051,840
<b>EXPENDITURES</b>				
Certificated Salaries (1000-1999)	\$ 238,355,239	\$ -	\$ -	\$ 238,355,239
Classified Salaries (2000-2999)	\$ 63,188,331	\$ -	\$ -	\$ 63,188,331
Employee Benefits (3000-3999)	\$ 98,371,353	\$ -	\$ -	\$ 98,371,353
Books and Supplies (4000-4999)	\$ 26,612,685	\$ -	\$ -	\$ 26,612,685
Services, Other Operating Expenses (5000-5999)	\$ 54,854,000	\$ -	\$ -	\$ 54,854,000
Capital Outlay (6000-6599)	\$ 1,265,138	\$ -	\$ -	\$ 1,265,138
Other Outgo (7100-7299) (7400-7499)	\$ 4,584,726	\$ -	\$ -	\$ 4,584,726
Direct Support/Indirect Cost (7300-7399)	\$ (906,720)	\$ -	\$ -	\$ (906,720)
Other Adjustments				
<b>TOTAL EXPENDITURES</b>	\$ 486,324,751	\$ -	\$ -	\$ 486,324,751
<b>OPERATING SURPLUS (DEFICIT)</b>	\$ (7,272,911)	\$ -	\$ -	\$ (7,272,911)
<b>TRANSFERS IN &amp; OTHER SOURCES (8910-8979)</b>	\$ -	\$ -	\$ -	\$ -
<b>TRANSFERS OUT &amp; OTHER USES (7610-7699)</b>	\$ 7,167,064	\$ -	\$ -	\$ 7,167,064
<b>CONTRIBUTIONS (8980-8999)</b>	\$ -	\$ -	\$ -	\$ -
<b>CURRENT YEAR INCREASE (DECREASE) IN FUND BALANCE</b>	\$ (14,439,975)	\$ -	\$ -	\$ (14,439,975)
<b>BEGINNING BALANCE</b>	\$ 95,321,794			\$ 95,321,794
Prior-Year Adjustments/Restatements (9793/9795)	\$ -			\$ -
<b>CURRENT-YEAR ENDING BALANCE</b>	\$ 80,881,819	\$ -	\$ -	\$ 80,881,819
<b>COMPONENTS OF ENDING BALANCE:</b>				
Reserved Amounts (9711-9740)	\$ 5,107,784	\$ -	\$ -	\$ 5,107,784
Reserved for Economic Uncertainties (9770)	\$ 56,896,763	\$ -	\$ -	\$ 56,896,763
Designated Amounts (9775-9780)	\$ 18,877,271	\$ -	\$ -	\$ 18,877,271
Unappropriated Amount - Unrestricted (9790)	\$ -	\$ -	\$ -	\$ -
Unappropriated Amount - Restricted (9790)	\$ -	\$ -	\$ -	\$ -
Reserve for Economic Uncertainties Percentage	\$ -			\$ -

\* Please see question on page 7.

# I. IMPACT OF PROPOSED AGREEMENT ON SUBSEQUENT YEARS

## Combined General Fund

Enter Bargaining Unit: **California School Employee Association (CSEA)**

	2010-11	2011-12	2012-13
	Total Current Budget After Settlement	First Subsequent Year After Settlement	Second Subsequent Year After Settlement
<b>REVENUES</b>			
Revenue Limit Sources (8010-8099)	\$ 275,363,565	\$ 255,982,539	\$ 258,422,515
Remaining Revenues (8100-8799)	\$ 203,688,275	\$ 167,596,294	\$ 158,349,826
<b>TOTAL REVENUES</b>	\$ 479,051,840	\$ 423,578,833	\$ 416,772,341
<b>EXPENDITURES</b>			
Certificated Salaries (1000-1999)	\$ 238,355,239	\$ 242,492,599	\$ 247,561,013
Classified Salaries (2000-2999)	\$ 63,188,331	\$ 64,515,286	\$ 66,168,886
Employee Benefits (3000-3999)	\$ 98,371,353	\$ 99,619,621	\$ 106,705,137
Books and Supplies (4000-4999)	\$ 26,612,685	\$ 25,542,055	\$ 24,541,314
Services, Other Operating Expenses (5000-5999)	\$ 54,854,000	\$ 53,139,323	\$ 51,575,054
Capital Outlay (6000-6999)	\$ 1,265,138	\$ 1,287,910	\$ 1,314,957
Other Outgo (7100-7299) (7400-7499)	\$ 4,584,726	\$ 4,667,251	\$ 4,765,263
Direct Support/Indirect Cost (7300-7399)	\$ (906,720)	\$ (751,146)	\$ (799,255)
Other Adjustments		\$ (56,321,566)	\$ (96,942,989)
<b>TOTAL EXPENDITURES</b>	\$ 486,324,751	\$ 434,191,333	\$ 404,889,380
<b>OPERATING SURPLUS (DEFICIT)</b>	\$ (7,272,911)	\$ (10,612,500)	\$ 11,882,961
<b>TRANSFERS IN &amp; OTHER SOURCES (8910-8979)</b>	\$ -	\$ -	\$ -
<b>TRANSFERS OUT &amp; OTHER USES (7610-7699)</b>	\$ 7,167,064	\$ 7,296,071	\$ 7,449,289
<b>CURRENT YEAR INCREASE (DECREASE) IN FUND BALANCE</b>	\$ (14,439,975)	\$ (17,908,571)	\$ 4,433,672
<b>BEGINNING BALANCE</b>	\$ 95,321,794	\$ 80,881,819	\$ 62,973,248
<b>CURRENT-YEAR ENDING BALANCE</b>	\$ 80,881,819	\$ 62,973,248	\$ 67,406,920
<b>COMPONENTS OF ENDING BALANCE:</b>			
Reserved Amounts (9711-9740)	\$ 5,107,784	\$ 2,977,359	\$ 2,977,359
Reserved for Economic Uncertainties - Unrestricted (9770)	\$ 56,896,763	\$ 43,909,871	\$ 57,334,796
Reserved for Economic Uncertainties - Restricted (9770)	\$		
Board Designated Amounts (9775-9780)	\$ 18,877,271	\$ 16,086,018	\$ 7,094,765
Unappropriated Amounts - Unrestricted (9790)	\$ -	\$ 0	\$ 0
Unappropriated Amounts - Restricted (9790)	\$	\$	\$

## J. IMPACT OF PROPOSED AGREEMENT ON UNRESTRICTED RESERVES

### 1. State Reserve Standard

		2010-11	2011-12	2012-13
a.	Total Expenditures, Transfers Out, and Uses (Including Cost of Proposed Agreement)	\$ 493,491,815	\$ 441,487,404	\$ 412,338,669
b.	State Standard Minimum Reserve Percentage for this District enter percentage:	2.00%	2.00%	2.00%
c.	State Standard Minimum Reserve Amount for this District (For districts with less than 1,001 ADA, this is the greater of Line a, times Line b. OR \$50,000	\$ 9,869,836	\$ 8,829,748	\$ 8,246,773

### 2. Budgeted Unrestricted Reserve (After Impact of Proposed Agreement)

a.	General Fund Budgeted Unrestricted Designated for Economic Uncertainties (9770)	\$ 56,896,763	\$ 43,909,871	\$ 57,334,796
b.	General Fund Budgeted Unrestricted Unappropriated Amount (9790)	\$ -	\$ 0	\$ 0
c.	Special Reserve Fund (Fund 17) Budgeted Designated for Economic Uncertainties (9770)	\$	\$	\$
d.	Special Reserve Fund (Fund 17) Budgeted Unappropriated Amount (9790)	\$ 13,176,759	\$ 13,176,759	\$ 13,176,759
g.	Total Available Reserves	\$ 70,073,523	\$ 57,086,631	\$ 70,511,556
h.	Reserve for Economic Uncertainties Percentage	11.50%	9.90%	13.90%

### 3. Do unrestricted reserves meet the state minimum reserve amount?

2009-10	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
2010-11	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
2011-12	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>

### 4. If no, how do you plan to restore your reserves?

5. If the total amount of the adjustment in Column 2 on Page 4 does not agree with the amount of the Total Compensation Increase in Section A, Line 5, Page 1 (i.e., increase was partially budgeted), explain the variance below:

n/a

6. Please include any additional comments and explanations of Page 4 as necessary:

n/a

**K. CERTIFICATION NO. 1: CERTIFICATION OF THE DISTRICT'S ABILITY TO MEET THE COSTS OF COLLECTIVE BARGAINING AGREEMENT**


The disclosure document must be signed by the District Superintendent and Chief Business Officer at the time of public disclosure.

In accordance with the requirements of Government Code Section 3547.5, the Superintendent and Chief Business Officer of Santa Ana Unified School District, hereby certify that the District can meet the costs incurred under the Collective Bargaining Agreement between the District and the Santa Ana Educator's Association Bargaining Unit, during the term of the agreement from July 1, 2010 to June 30, 2013.

The budget revisions necessary to meet the costs of the agreement in each year of its term are as follows:

<u>Budget Adjustment Categories:</u>	<u>Budget Adjustment Increase (Decrease)</u>
<u>Revenues/Other Financing Sources</u>	
<u>Expenditures/Other Financing Uses</u>	-
<u>Ending Balance Increase (Decrease)</u>	-

N/A X

 - Jane A. Russo  
District Superintendent  
(Signature)

5/19/11  
Date

(Signature)

 - Michael P. Bishop, Sr.

---

Chief Business Officer

(Signature)

5/18/11  
Date

**L. CERTIFICATION NO. 2**

The disclosure document must be signed by the district Superintendent or designee at the time of public disclosure and by the President or Clerk of the Governing Board at the time of formal board action on the proposed agreement.

The information provided in this document summarizes the financial implications of the proposed agreement and is submitted to the Governing Board for public disclosure of the major provisions of the agreement (as provided in the "Public Disclosure of Proposed Bargaining Agreement") in accordance with the requirements of AB 1200 and Government Code Section 3547.5.

\_\_\_\_\_  
**District Superintendent (or Designee)**  
**(Signature)**

\_\_\_\_\_  
**Date**

\_\_\_\_\_  
**President or Clerk of Governing Board**  
**(Signature)**

\_\_\_\_\_  
**Date**

\_\_\_\_\_  
**Swandayani Singgih**  
**Contact Person**

\_\_\_\_\_  
**(714) 558-5652**  
**Phone**

**AGENDA ITEM BACKUP SHEET**  
**May 24, 2011**

**Board Meeting**

**TITLE:**                   **Approval to Reopen Santa Ana Educators' Association (SAEA) Initial Bargaining Proposal for 2011-12 School Year to Santa Ana Unified School District (SAUSD)**

**ITEM:**                   **Action**   
**SUBMITTED BY:** **Juan M. Lopez, Associate Superintendent, Human Resources**

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**BACKGROUND INFORMATION:**

The purpose of this agenda item is to seek Board approval to reopen the Santa Ana Educators' Association (SAEA) Initial Bargaining Proposal for 2011-12 School Year to Santa Ana Unified School District (SAUSD) in accordance with Government Code 3547 and Board Policy 2000.

**RATIONALE:**

Under provision of the Government Code and Board Policy referenced above, the proposal must be "sunshined" to the public with the opportunity for public comment and to approve the reopening of the bargaining proposal.

**FUNDING:**

Not Applicable

**RECOMMENDATION:**

Approve to reopen Santa Ana Educators' Association (SAEA) Initial Bargaining Proposal for 2011-12 school year to Santa Ana Unified School District (SAUSD).

Santa Ana Educators' Association

Initial Proposal To

Santa Ana Unified School District

2011 – 2012

SAEA proposes the following:

1. Article VII: Wages and Wage Provisions

- A. Fair and reasonable salary increase based upon budget analysis.
- B. Adjust and modify language regarding factors, stipends and extra service assignments.

2. Article XII: Safety Conditions

- A. Adjust and modify language regarding assaults, threats and pupil discipline.
- B. Adjust and modify language regarding safe workplace and personal property reimbursement.

3. Article XXVI: Special Services

- A. Define and clarify special education case loads.
- B. Define and clarify placement of special education and general education (RTI model) students.
- C. Provide equitable collaboration, testing and IEP writing time for special education teachers.
- D. Changes in work roles (workload) shall be negotiated.
- E. Scheduling and payment of special education, IEP, RTI, SST (et. al.) meetings outside the school day.
- F. SAEA representation on SELPA.
- G. Implement other recommendations of the Special Services committee.